

NISSAN NORTH AMERICA, INC.

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NISSAN

September 26, 2013

Ms. Nancy Lewis
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
Attn: Recall Management Division (NVS-215)
Room W48-302
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear Madam:

We are transmitting the enclosed Defect Information Report in accordance with 49 CFR Part 573. A voluntary safety recall campaign will be initiated and your office provided with the notices. Nissan plans to notify dealers on September 26, 2013 and will notify all affected owners in early November, 2013.

We will include a statement in the Part 577 owner notification concerning reimbursement for the cost of obtaining a pre-notification remedy as these vehicles out of warranty.

Very truly,



Donald Neff
Manager,
Technical Compliance

Encl.

DEFECT INFORMATION REPORT

1. Manufacturer:

Nissan Motor Co., Ltd.

2. Vehicles Potentially Involved:

Certain 2006-2010 Model Year Infiniti M35/M45 vehicles manufactured from April 4, 2004 (start of production) to October 5, 2010 (end of production).

Other Nissan and Infiniti vehicles are not affected because the design of the accelerator pedal assembly is unique to this model.

The accelerator pedal assembly supplier is:

Aisan Industry Co., LTD.
1-1-1 Kyowa-cho, Obu-city, Aichi, Japan
Tel: 81 (0) 562 47 1131

Country of origin:

Japan

3. Total Number of Vehicles Potentially Involved:

Approximately 98,307 vehicles.

4. Percentage of Vehicles Estimated to Actually Contain the Defect:

Unknown

5. Description of the Defect:

When a lateral load is applied to the accelerator pedal, it may cause low contact pressure between the sensor brush and the terminal on the circuit board of the accelerator pedal position sensor. Over time, this may cause

the pedal sensor signal to deteriorate. If this deterioration occurs, the sensor may output an incorrect signal unexpectedly, causing the Engine Control Module (ECM) to go into fail-safe (limp home) mode. This condition, when combined with restricted air flow due to deposits at the throttle valve, in rare instances, may cause the engine to stop running at idle or just before stopping. However, the engine can be restarted.

6. Chronology of Principal Events:

In late 2011 and early 2012, Nissan received field information related to poor acceleration on the subject vehicles. Nissan concluded that the issue was due to a side load being applied to accelerator pedal that caused poor contact of the sensor brush at the terminal. This, combined with abrasive dust build up on the sensor brush, resulted in an incorrect sensor output that would cause the vehicle to go into fail-safe mode. Nissan understood that there was a very low probability for the engine to stop running, but only when at, or near, idle. Nissan concluded that the issue was not an unreasonable risk to safety and did not merit a field action because the vehicle went into fail-safe mode (allowing a driver to safely pull over to the side of the road), the probability of the engine stopping was very low, and the engine could be restarted.

July 2013 – August 2013 - Nissan received reports of increased engine stopping occurrences in Japan. Nissan reviewed U.S. market data and determined that the probability of engine stopping remained low.

September 20, 2013 – Based on discussions with Japan's Ministry of Land Infrastructure and Transportation (MLIT) regarding field data in the Japanese market, upon further consideration of this issue and out of an abundance of caution, Nissan determined that a defect exists and that a recall campaign should be conducted in both the U.S. and Japan.

7. Description of Corrective Action:

Owners of all potentially affected vehicles will be notified in early November 2013 to take their vehicles to an Infiniti dealer. The accelerator pedal assembly will be replaced and the ECM will be reprogrammed at no charge to customers for parts or labor.

8. Copy of Notices:

Copies of all notices will be provided to NHTSA as they become available.